

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	77342843
LAW OFFICE ASSIGNED	LAW OFFICE 101
MARK SECTION (no change)	
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	030
DESCRIPTION	
food products, namely, baked goods, sauces and packaged meals consisting primarily of pasta or rice	
FILING BASIS	Section 1(b)
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	030
DESCRIPTION	
food products, namely, pasta, croutons, cookies, bagels, bagel chips, granola, bread, pizza, tamales, calzones, pretzels, tortillas, bakery desserts and cereals; sauces and packaged meals consisting primarily of pasta or rice	
FILING BASIS	Section 1(b)
SIGNATURE SECTION	
DECLARATION SIGNATURE	The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the <i>Trademark Rules of Practice</i> .
RESPONSE SIGNATURE	/PJC/
SIGNATORY'S NAME	Patrick J. Concannon
SIGNATORY'S POSITION	Attorney of record, Massachusetts bar member
DATE SIGNED	04/17/2009
AUTHORIZED SIGNATORY	YES
CONCURRENT APPEAL NOTICE FILED	YES

FILING INFORMATION SECTION	
SUBMIT DATE	Fri Apr 17 16:34:32 EDT 2009
TEAS STAMP	USPTO/RFR-38.112.153.190- 20090417163432391465-7734 2843-430c3c026a6a639d866f 15ca117df73d14-N/A-N/A-20 090417162448845618

PTO Form 1930 (Rev 9/2007)

OMB No. 0651-0050 (Exp. 4/30/2009)

Request for Reconsideration after Final Action

To the Commissioner for Trademarks:

Application serial no. **77342843** has been amended as follows:

CLASSIFICATION AND LISTING OF GOODS/SERVICES

Applicant proposes to amend the following class of goods/services in the application:

Current: Class 030 for food products, namely, baked goods, sauces and packaged meals consisting primarily of pasta or rice

Original Filing Basis:

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

Proposed: Class 030 for food products, namely, pasta, croutons, cookies, bagels, bagel chips, granola, bread, pizza, tamales, calzones, pretzels, tortillas, bakery desserts and cereals; sauces and packaged meals consisting primarily of pasta or rice

Filing Basis: Section 1(b), Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services as of the filing date of the application. (15 U.S.C. Section 1051(b)).

SIGNATURE(S)

Declaration Signature

I hereby elect to bypass the submission of a signed declaration, because I believe a declaration is not required by the rules of practice. I understand that the examining attorney could still, upon later review, require a signed declaration.

Request for Reconsideration Signature

Signature: /PJC/ Date: 04/17/2009

Signatory's Name: Patrick J. Concannon

Signatory's Position: Attorney of record, Massachusetts bar member

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal

territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 77342843

Internet Transmission Date: Fri Apr 17 16:34:32 EDT 2009

TEAS Stamp: USPTO/RFR-38.112.153.190-200904171634323

91465-77342843-430c3c026a6a639d866f15ea1

17df73d14-N/A-N/A-20090417162448845618